

REMARKS

In view of the foregoing amendments and following remarks, Applicant respectfully requests reconsideration of the present application. At the time of the outstanding Office Action, claims 9, 11-15, 17-21, and 23-26 were pending. By this response, claims 13, 19 and 25 are amended, claims 9, 11, 14-15, 17-18, 20-21, 23-24 and 26 are canceled and claims 27-38 are newly added. No new matter has been added. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with appropriate status identifiers.

35 U.S.C. § 103 Rejections

Claims 9, 11-13, 15, 17-19 21 and 23-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0176908 to Senda *et al.* (Senda) in view of U.S. Patent No. 6,282,490 to Nimura *et al.* (Nimura). Claims 14, 20 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Senda in view of Nimura, and in further view of U.S. Patent No. 6,084,980 to Nguyen *et al.* (Nguyen). Claims 9, 11, 14-15, 17-18, 20-21, 23-24 and 26 are canceled, and claims 13, 19 and 25 are amended to depend from new claims 27, 31 and 35, respectively. Thus the instant rejections are moot.

The New Claims Define Over the Cited Art.

Claims 27-38 are new and define over the cited art. The new claims 1) limit the 3D object to a 3D road object and 2) clarify that the cross-section data is extracted first and then, based on the cross-section data and the link-information included in the road network database, the 3D road object is created.

Neither Senda, Nimura nor Nguyen teach or suggest features 1 and 2 above. Senda merely changes the height of the polygon of a building according to sound data. (¶¶ 0077-0079) Senda fails to teach or suggest the extraction of cross section data even if the “base” of the polygon of the building is interpreted as a “cross section.” Nimura merely discusses the use of length in transforming the coordinates of a curved plane to coordinates of a map display. (Abstract, col. 6, lines 16-23.) Nimura, however, does not teach or suggest the creation of a 3D polygon based on the link length. Nguyen merely discusses a method for deriving data for at least a portion of a region intermediate to two successive cross-sections. (Abstract) Nguyen does not teach or suggest the instant features of the instant claims. Thus,

the new claims define over the cited art. Claims 13 and 28-30, claims 19 and 32-34 and claims 25 and 36-38 depend from new claims 27, 31 and 35 respectively, and therefore also define over the cited art. Accordingly, Applicant respectfully requests allowance of the instant application.

CONCLUSION

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 9/21/09

By Glenn Law Reg. No. 59,396

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

for Glenn Law
Attorney for Applicant
Registration No. 34,371